

**PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE  
of the  
Suffolk County Legislature  
  
Minutes**

A regular meeting of the Public Safety & Public Information Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on **November 13, 2002**.

**Members Present:**

Legislator Angie Carpenter - Chairperson  
Legislator David Bishop - Vice-Chair  
Legislator Lynn Nowick  
Legislator William Lindsay  
Legislator Joseph Caracappa  
Legislator Maxine Postal

**Also In Attendance:**

Paul Sabatino - Counsel to the Legislature  
Doug Sutherland - Aide to Legislator Carpenter  
Chris Rosa - Intern/Legislator Carpenter's Office  
Terrence Pearsall - Aide to Legislator Lindsay  
Linda Burkhardt - Aide to Presiding Officer Tonna  
Ed Hogan - Aide to Legislator Nowick  
Dave Ryan - Aide to Legislator Nowick  
Ray Zaccara - Aide to Democratic Caucus  
Fred Pollert - Director/Budget Review Office  
Rosalind Gazes - Budget Analyst/Budget Review Office  
Bill Faulk - County Executive's Office/Intergovernmental Relations  
James Abbott - Chief Deputy Commissioner/Suffolk County Police Dept  
Mike Pirone - Suffolk County Police Department  
Robert Kearon - Suffolk County District Attorney's Office  
Jeff Tempera - Director/Personnel & Labor Relations  
Kris Chayes - Suffolk County Civil Service Department  
Marty McIndue - Administrator/Suffolk County Probation Department  
Jeff Metz - Suffolk County Probation Officer  
Debbie Eppel - Public Information Office  
Jeff Frayler - President/Police Benevolent Association  
Tom Muratore - Vice-President/Police Benevolent Association  
Elie Seidman-Smith - Director/Community Service Program/ARC  
All Other Interested Parties

**Minutes Taken By:**

Alison Mahoney - Court Stenographer

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(\*The meeting was called to order at 9:39 A.M.\*)

CHAIRPERSON CARPENTER:

Good morning. Welcome to the Public Safety & Public Information Committee. And I would ask Legislator Nowick to please lead us in the Pledge of Allegiance.

### Salutation

Thank you. Well, it appears that we have a light agenda today or a light meeting. There are no issues on the table for discussion other than anything anyone from the committee might want to raise. We do have one card and I'll go to that first. Marty McIndoe and Jeff Metz, if you would like to come forward.

MR. McINDOE:

Good morning.

CHAIRPERSON CARPENTER:

Good morning. Have a seat at the table here, the microphone is right there.

MR. McINDOE:

We just wanted to speak for a moment to call your attention to one of your resolutions that affects the Probation Department. Both of us, Jeff is a Probation Officer and I'm one of the administrators there.

The current status of our uncovered caseloads makes us look towards anything that we can to help the Probation Officers that we have better supervise those, usually between eleven and 12,000 people per day out in the County under Probation supervision. The resolution, 2096 that's before you, is asking that some funds that I believe are offset from Capital this year be appropriated for us to use towards our Probation Officer Remote Access System which we have a pending Capital on that has been kind of set aside until 2004. We really need some of that equipment now as soon as possible and that's why we had the resolution brought before you. We had spoken to the Budget Office and they helped us with the Legislature -- I'm sorry, with the resolution.

(\*Legislator Caracappa entered the meeting at 9:41 A.M.\*)

CHAIRPERSON CARPENTER:

Okay. I would like you to -- and I appreciate you coming down today because very often we have resolutions like this and if there are questions they wind up getting tabled if there's no one here to speak to it. So if you would just talk a little bit more about what the

Remote Access System will enable you to do, I think it will be helpful.

MR. McINDOE:

Sure. One of the reasons I asked Probation Officer Metz to come here is he is a man that has used it. We have developed -- since 1979 we have automated our Probation Department and we originally had a main frame system and then we -- we still have the main frame but we also have a PC-based system that's developing web-based applications. This

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is now allowing us to take much of the work that we have, we have a large file system obviously and we have a number of different contacts with outside databases that go through there and it's been basically only available to our Probation Officers when they come into the office. They normally spend approximately three days a week in the field supervising the probationers and they spend about two days in the office doing paperwork and having the facilities at the office.

What this Probation Officer Remote Access System, the original Capital was designed to do was to allow them access from the field to our databases that are in our main frame and in our Windows Network. It helps the Probation Officer to be able to do his job a lot better. I really wanted Jeff to tell you a little bit about it because it has helped him tremendously. We right now have about 20 Probation Officers out there testing what we have developed and the response has been so good that our Director said because of our shortage right now of Probation Officers we really need to do everything we can and this seems to help them so much that we feel that it should be emphasized. Jeff, do you mind sharing a little about what that's done?

MR. METZ:

Good morning. Just briefly, right now most Probation Officers use a casebook, they hand-write all their contacts and Probationers with treatment agencies, with other law enforcement agencies. What the program that Probation has developed on the laptop can do, it allows direct access to all docket information, background information regarding all probationers, and the main reason it's a very beneficial program is it cuts back on all the paperwork the Probation Officer has to do.

In terms of the case book that the Probation Officers currently have, this is an easy format, you just click boxes, type a short little informational section into the computer, it then uploads the information into our main frame allowing supervisors direct access to contacts with probationers with other agencies, other collateral contacts. It also incorporates all these contacts into a quarterly summary which is State mandated. The quarterly summary normally is written out by hand by all Probation Officers and it takes a long

time; using this program, all that information is directly filled out in the quarterly, it's eliminating a lot of paperwork for the Probation Officer.

It allows the Probation Officer then to have more contact with the probationer, with the other treatment facilities and other agencies, other law enforcement agencies. It allows uncovered caseloads to be handled a lot easier because any Probation Officer can take the computer, put in contacts, upload the information to the mainframe, a supervisor has direct access to this information immediately. So it's really a program which allows the Probation Officer more direct contact with the probationer, with the community as opposed to spending their time doing the paperwork.

MR. McINDOE:

One of the things also that we faced after losing -- we lost 59 people to that last retirement and we have at present approximately 24 of what we call uncovered caseloads, which certainly we don't like but

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it's a fact of life. And we're dealing with those by having Probation Officers who have their own caseload help come in to deal with the difficulties and problems that come up on that uncovered caseload.

We found that if we take some of this remote access system that we built in and have particularly a laptop at the, let's say, the spot or the office of where that uncovered caseload is, we just keep it on that desk, it also goes to whatever location office reports are, that varies. And the Probation Officers who are covering that uncovered caseload, even if there may be four or five of them, just come in and have that caseload right in front of them, can enter it and it's handled as if it was one -- just one Probation Officer doing it. So that's helping us deal with the difficulty of shortage of staff at the moment, which is one of the reasons why we try to get this in for this year. Like I said, it's approved for 2004 but we need at least a section of it hopefully using these offset Capital funds.

LEG. LINDSAY:

Is there an offset?

CHAIRPERSON CARPENTER:

I'd just ask Budget Review to address the funding and the offset, if you could.

MS. GAZES:

This is an Executive resolution so I don't know what input Budget Review had in the offset but it is Capital Project 1748, it's an Internet Commerce Server. It's just been reduced by 60,000 to put 60,000 into the Probation project, there's still remaining funds in

the project that's used as an offset.

CHAIRPERSON CARPENTER:

Okay. So there was money in 2002 for an Internet Commerce Server. Was that Probation Department specific or was that just -- do we know that?

MR. McINDOE:

I was told it was not Probation; I know it's not Probation, it was from somebody else.

MS. GAZES:

No, I'm assuming it's from IS.

MR. POLLERT:

Yeah, I got it.

CHAIRPERSON CARPENTER:

I think -- Fred, do you have some information on this?

MR. POLLERT:

The Internet Commerce Server is a data processing project, but the intent is to be able to have a file server that can accommodate commercial applications that the County wants to bring up. Like the County Clerk had estimated that he could generate somewhere between a quarter to a half of million dollars worth of revenues per year as long as we had a commercial Internet Server that could be able to

accommodate hundreds of thousands of images and hundreds of thousands of hits per week. So what the Capital Project was was to include funding for a high speed Internet server.

CHAIRPERSON CARPENTER:

So --

MR. POLLERT:

That's what's being used as an offset.

CHAIRPERSON CARPENTER:

So does anyone know anything about where they are with getting that high speed server and will taking this money from that cause a problem? I mean, this is 2002 money and we're near the end of the year, but I think we should know that.

MR. POLLERT:

I would really have to defer to Bob Donnelly from Data Processing. I'm on the Information Processing Committee and I know that they wanted to move ahead with the project. They could appropriate the

funds this year and they would not lapse, the problem is if they don't do it this year I'm not so sure that they have enough funds to be able to do the Internet Server next year, they would probably have to come up with some sort of an offset to purchase the server in 2003. The problem, again, is that the County Clerk doesn't want to put up a data base that's not going to be able to accommodate an appropriate level of service.

CHAIRPERSON CARPENTER:

All right. Can someone from your office make a phone call or two before we move on this and check on it? I don't want to -- certainly I have no problem supporting your project, but I want to make sure that we're not inadvertently crippling something else.

MR. McINDOE:  
Right.

CHAIRPERSON CARPENTER:

And it might be a good idea, I know it's certainly not your responsibility, but if we could in the future communicate with the County Exec's Office when they have something like this. I really think that they need to touch base with Budget Review so that we can have this information when we're acting on resolutions so not to hold things up.

MR. McINDOE:  
That's a good idea. The only thing I know --

CHAIRPERSON CARPENTER:  
Are there any questions?

MR. McINDOE:  
I'm sorry.

CHAIRPERSON CARPENTER:  
That's all right.

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MR. McINDOE:

The only thing that I know as far as the background on that is when we went to the County Exec's Office indicating that we would like to try to do what we can to help with our shortage of personnel, they came up with this idea and they said that they were able to find -- they came up with the amount of \$60,000, so I'm assuming that they knew that it was from this and it would not be needed from this particular project. As far as the information on Bob Donnelly's committee, I have already spoken to them about it, not particularly the usage of it from the server but about the project and they have been very supportive to us about the project.



CHAIRPERSON CARPENTER:

Oh, I'm sure that that's the case. But again, like a said, you know, it certainly doesn't reflect on what we're trying to do here for you today but we just want to make sure that we're not causing a problem in another area. Are there any questions or comments by any committee members? Okay, thank you very much, gentlemen. Thanks for coming down, I appreciate it.

MR. McINDOE:

Thank you. Do you want us to stay for the rest of the resolution?

CHAIRPERSON CARPENTER:

No, it's not necessary.

MR. McINDOE:

Thank you.

MR. METZ:

Thank you.

CHAIRPERSON CARPENTER:

I know the Police Commissioner and Deputy Commissioner Abbott are here. There was some information you were bringing forward before the committee so if you gentlemen want to come forward next.

CHIEF DEPUTY COMMISSIONER ABBOTT:

Good morning.

CHAIRPERSON CARPENTER:

Good morning.

COMMISSIONER GALLAGHER:

Good morning. We have in response to -- I think it's Legislator Bishop asked for some statistics or comparisons of felony crimes and we did a three year analysis from '98 through 2001 which is the last four year reporting; I understand they're making copies of it?

CHAIRPERSON CARPENTER:

Yes.

COMMISSIONER GALLAGHER:

Okay. So if you want I'll hold off until they're done.

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LEG. BISHOP:

Yeah, go to the agenda.

CHAIRPERSON CARPENTER:

Okay.

COMMISSIONER GALLAGHER:

Rather than discuss it while that's being made. Other than that, just to acknowledge publicly Legislator Caracappa's efforts that resulted yesterday in the ground breaking for the new 6th Precinct which we appreciate very much the effort that went into that. The building is much needed, anybody that's been in the 6th Precinct certainly knows who had to work in that building very much appreciate the fact that they're going to be going into a new facility.

CHAIRPERSON CARPENTER:

I think that certainly has been the case with each of the precincts that we've renovated and, in this instance, relocating.

COMMISSIONER GALLAGHER:

The only one left now, I don't want to lose site of is the 4th Precinct which would then --

CHAIRPERSON CARPENTER:

That was -- you know, I saw that resolution that we've been tabling here in anticipation of getting the plan for the Hauppauge Campus here and I don't know if you gentlemen have any information on that and maybe I should direct that to Budget Review; do you know where that is?

MS. GAZES:

No, we don't have that I'm aware of any updated information on the North Complex Plan. I believe it was going to be done by an outside consultant, but I'm not sure. It's a DPW project, we'll check on it for you.

CHAIRPERSON CARPENTER:

Okay, DPW is meeting after this committee so I will ask that. And absent that, we're going to have to move this or we're going to wind up coming into problems as we get near the end of the year.

COMMISSIONER GALLAGHER:

Yes, we have not seen the final plan yet. We did -- as I think I told you, our input to DPW was if we were to be incorporated into the master plan as a master plan building relocation of the 4th Precinct into that plan, the only reservation I have about putting the 4th Precinct into another County facility is that it would have to be a building within a building as the way I described it to DPW architects. It's just -- a precinct doesn't lend itself to being used as like the first floor of another building because of the nature of the kind of work that goes on in the precinct, the people that are brought in there, it just isn't a suitable location to have people working in a work environment and people, you know, heal to toe with



people who are brought into a precinct, most often in the case of the criminal procedures that go on in that precinct incarceration etcetera

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process. So we really need a secure, separate secure building within the building.

CHAIRPERSON CARPENTER:

Well, that certainly is understandable.

COMMISSIONER GALLAGHER:

I think you all have copies now?

CHAIRPERSON CARPENTER:

Yeah, before we go to that, I believe on the point, Legislator Postal has a question.

LEG. POSTAL:

Yeah, with regard to the six precinct issue. Just recently there have been two suicides by people who are arrested and at the precinct and the point has been made in media coverage that facilities at certain precincts do not lend themselves to the kind of supervision that other precincts lend themselves to and as a result, certain -- people who are picked up for certain types of offenses like DWI will in the future be brought to precincts where they have the capability of I guess the kind of extremely careful supervision that would prevent suicide.

COMMISSIONER GALLAGHER:

They have detention attendance at the two precincts that were mentioned, the 3rd and the 5th.

LEG. POSTAL:

Yes. They also mentioned something about the physical plant that lent itself to the kind of supervision that --

COMMISSIONER GALLAGHER:

It's a large number of Cells and the configuration of the cells lent itself to a camera arrangement, they call it a horseshoe?

CHIEF DEPUTY COMMISSIONER ABBOTT:

Yeah.

COMMISSIONER GALLAGHER:

I'm not sure if that is in each precinct, but the idea would be that the physical layout allows for a central visual observation of the cells in those two precincts by the detention attendant in a much complex way than somebody sitting at a desk looking at a camera.

LEG. POSTAL:

I get the feeling from what you're saying that the new 6th Precinct will not have that arrangement.

COMMISSIONER GALLAGHER:

No, it will.

LEG. POSTAL:

It will, that was my question. Thank you.

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COMMISSIONER GALLAGHER:

We will have that kind of additional -- in fact it might even surpass the third and the fifth in the arrangement that we're putting in there because we will have both detention attendants and -- I'm trying to see the right verbiage that they used when they gave me this report. A cell block in central viewing station, so it would be a detention attendant who would have also the central -- in effect, a viewing station that would be central to each cell.

LEG. POSTAL:

Thank you.

CHAIRPERSON CARPENTER:

Okay, I think we can go to your historic comparison of crimes.

COMMISSIONER GALLAGHER:

This -- as I say, it's a three year comparison and if you start on the right hand side, the three year from '98 to 2001 is the summary, you have one column is the numbers, the draw scores and then the percentage change in that period. If you look at the first line, murder/manslaughter, between '98 and 2001, 9.38% crime, forcible rape was up 1.353% etcetera. And while burglary, which is the one five down, is a decline from '98 through 2001, it's minus 17%. If you look at the two year comparisons on burglary, it's not that -- it's not that pronounced at all, it's only about -- it's actually .36% increase or .90% increase too from 2000 to 2001.

So, you know, the burglary I know just in the recent years, residential burglaries are becoming a concern to us because they have gone up. But if you look at these figures, obviously the most dramatic increase that's taken place over the three year period is grand larcenies which have gone up 49%, although at any given time that number can be -- you know, it can spike up and down, grand larceny. Auto thefts have gone down 13%. So this figure, as I said, we can give you the three year statistics, but also I think what you were looking for is more current, too, on a month-to-month basis we can give you these reports as they get reported to us from our analysis unit.

CHAIRPERSON CARPENTER:

Yes, Legislator Postal.

LEG. POSTAL:

Do we do any breakdown on the statistics by age? In other words, do we have any information on the percentage or number of crimes and what type of crimes committed by juveniles or people even if we wanted to say under 21?

COMMISSIONER GALLAGHER:

I don't believe so.

CHIEF DEPUTY COMMISSIONER ABBOTT:

Not that I know of.

COMMISSIONER GALLAGHER:

Not that I know of. I don't believe -- first of all, there are some

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aspects of the law that don't allow you to identify somebody under a certain age. I would say no, off hand I would say -- we may have somewhere in the many, many records that are kept you may be able to extract an age cohort, not specific age but like crimes committed by 16 through 21 year olds, 21 to 30 year olds, something like that.

LEG. POSTAL:

I just think that if we could do it, it might give us some information about where we need to head. I know one of the problems that we face is the youth gang problem and I would suspect that a great many crimes are committed in relation to young people's gang affiliations and we probably don't recognize half of them, you know, half of these things occur because somebody is a gang member and there's some kind of anonymity between the gangs or someone assumes that someone is "dissing" the gang or is pretending, dressing like a member of the gang. And I think it would just be -- it would be interesting to us in deciding policy as far as where we're going to allocate resources. I know that if it's not done as a matter of usual practice it's problematic, but I think it would be helpful.

COMMISSIONER GALLAGHER:

Yeah, I think that Commissioner Abbott, when it comes to specific area of gang, we do keep a separate statistic.

CHIEF DEPUTY COMMISSIONER ABBOTT:

That's what I was going to mention, Legislator Postal. We can go through the rear door on that particular issue with gangs because we do keep statistics that are specific with gangs, the gang memberships and crimes they commit. We're also enhancing that down to the

Intelligence Division by additional personnel and dialoguing more with Nassau County, the local DA and the Federal Government on those issues. So we could come up with those statistics but as the boss mentioned, as a summary report it's not broken down. At great cost and expense and human resources, we probably could ferret out those statistics about the department, but it would be very time consuming and very costly.

LEG. POSTAL:

The information that you have on gangs, crimes committed by gangs, gang members --

CHIEF DEPUTY COMMISSIONER ABBOTT:

Right.

LEG. POSTAL:

Could that be provided to us and compared to the overall number of crimes; for example, assaults, assaults by gang members and then total number assaults?

COMMISSIONER GALLAGHER:

Yeah, we can do that because when the uniform report is prepared under an arrest record, if there's a gang related activity as part of the arrest -- in other words, membership in a gang or the crime was gang related -- that becomes part of the uniform arrest report that we turn in. So we could probably do that kind of a breakdown for you, I can see if we can do that if you want.

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LEG. POSTAL:

Thank you.

COMMISSIONER GALLAGHER:

How many crimes of violence were -- or crimes.

LEG. POSTAL:

Or whatever, crimes, felonies I guess.

COMMISSIONER GALLAGHER:

Crimes that involved people who were either identified by themselves or are identified by our intelligence as members of gangs and/or the crime itself was a crime that we think a gang initiated.

LEG. POSTAL:

Thank you.

COMMISSIONER GALLAGHER:

Just in relation to that that incident, in relation to that area of gang involvement in crimes, perhaps you're aware there was a violent

slashing of two young people in Central Islip School District right outside of the high school a few weeks ago, last week actually. And while the incident did not begin as a gang, it was not a prearranged gang confrontation, what seemed to have happened is that the two youths who were arrested who were charged with the assaults were both members of MS13 and there had been some kind of an exchange; just as you said, real or imaginary "dissing" I guess is the phrase that's used of one group by another group, but it resulted in two rather severe assaults on two young men. We put in extra officers in the high school, the perimeter of the high school right after that, we had COPE Officers in there. We had detectives from the Intelligence Unit down talking to members of the community and to both the victims and the arrestees; while we didn't get much cooperation from either, but we did get enough information to -- we eliminated it as a prearranged gang assault but it was -- that goes down as gang related because the two people who provoked these incidents were members of gangs. I went down and spoke to the faculty of Central Islip High School the day after that incident and assured them that, you know, again our pledge is any of these kinds of incidents will not go unanswered. So we have two in custody and we expect to bring in more.

LEG. POSTAL:

Just one final comment. The media covered recent I guess presentation that was made at the Town of Babylon Town Hall Annex at {Phelps} Lane to civic associations from West Babylon on the issue of youth gangs and it was an excellent presentation. I mean, there were probably, I don't know, between 50 and 100 community residents there and Lieutenant Kelly from the 1st Precinct was there, Wes Daly was there, there were people with -- I can't even imagine if you combined the years of expertise from the New York City Board of Education, New York City various law enforcement agencies and the presentation was -- it was about three years, it was fascinating, I mean, nobody moved. And it was so -- yeah, it was so educational I can't begin to tell you. For example, how many times have you seen a pair of sneakers hanging from a telephone line? It means something; if there's a color hanging from a sneaker it marks territory, it marks boundaries.

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COMMISSIONER GALLAGHER:

They borrowed that from the Jewish tradition; no, I'm kidding.

LEG. POSTAL:

You know, there were a lot of things that were really interesting. And at the risk of suggesting that this Legislature sit for a three hour presentation, I just think that --

LEG. BISHOP:

They could condense it.

LEG. POSTAL:

Well, I don't know if they could because what they said at the end of it was that the information we got in three hours, nobody should think that was an education or anyplace near an adequate or complete education, that it was a glimpse, it was a beginning. And I have to tell you, I go to them all and I'm looking to see who's right pants leg is rolled up and has a yellow bandana around it, who's hand has a beige bandana around it, because these things all mean something. If you see graffiti --

LEG. BISHOP:

What does it mean?

LEG. POSTAL:

Well --

COMMISSIONER GALLAGHER:

They call it flagging.

LEG. POSTAL:

It has to do with drug sales if the right pant leg is pulled up, it has to do with a planned assault if there's a beige bandana wrapped around the hand. But, you know, we were asked by Lieutenant Kelly if we do see the sneakers, the sneakers without a colored cloth means nothing but if you see sneakers with a cloth hanging from a telephone line, call your precinct. If you see gang graffiti, I mean, one of the people who was there spoke about how she had passed gang graffiti on a store, it means something and sometimes the messages are not just marking territory or letting people know you're there but they're actually announcements.

LEG. NOWICK:

(Inaudible).

LEG. POSTAL:

You recognize it, that's an interesting thing. If you see gang graffiti, I never did, it just looked like graffiti, I can't describe it but if you see it and you recognize it as gang graffiti, let your precinct know. I just wanted to say it was an excellent presentation and the people who are from the Suffolk County Police Department are a credit to the department and really performed a valuable service, so thank you.

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COMMISSIONER GALLAGHER:

Thank you very much. I think -- here's some examples, this is from a report we did --

CHIEF DEPUTY COMMISSIONER ABBOTT:



This is our gang.

COMMISSIONER GALLAGHER:

-- from April, examples of -- I don't want to go into too many details for what this particular graffiti represents because I don't feel expert enough, but that's one of the newest graffiti markings that we've seen around, some sort of a gang identification.

We keep a whole dossier of these in intelligence. In other words, if you ever have a chance to visit headquarters, I'd be happy to take you down there and show you the -- there's a whole -- there's like a huge {darciey} of these kinds of markings and what they signify. You know, maybe it is, it is time to say a word of tribute to the men and women who work in this area. I mean, it's a never ending job, they're out every day, every night and the signs constantly change. You know, these groups, there's a certain amount of wanna-beism here, too, so the signs are what you're doing with change; you don't know whether you're dealing with the real thing or somebody that's just playing. But it's a constant, you know, catch-up game that the police play. More and more we are working with -- as was already mentioned, in the intelligence area we're working with -- obviously we have always had short ties with Nassau, the gang unit in Nassau, Detective {inaudible} who was one of the regional experts on gangs and detective Daly have a long strong relationship and the two units work closely. New York City and now Riker's Island, we've established contact with Riker's Island, the Correction department there because a certain number of our gang members and gang leaders in the area that affect Suffolk County are also incarcerated in Riker's Island and we have established -- we have an ongoing relationship within our own jail and in the unit in the jail that deals strictly with gangs and the Probation Department. So more and more and more what we're doing is hanging together all the various pieces of information and coming with a central intelligence core or central intelligence location in the intelligence unit. Anyway --

CHAIRPERSON CARPENTER:

Well, thank you. Thank you, Legislator Postal. Are there any other questions on this data? Legislator Bishop, did you -- I guess not.

LEG. BISHOP:

What, excuse me?

CHAIRPERSON CARPENTER:

I asked if anyone had any questions on this information.

LEG. BISHOP:

Not on this information, on the crime statistics.

CHAIRPERSON CARPENTER:

Right, we're back to that.

LEG. BISHOP:

Can you relate any of the statistics that we're looking at to staffing decisions that as policy makers we have made or even that you have made as Commissioner?

COMMISSIONER GALLAGHER:

No, I can't give you a specific one to one relationship. I mean, in the patrol division there is -- when each class graduates, we're about to put a class -- well, it's in the field now and they will be assigned permanently within the next month.

CHIEF DEPUTY COMMISSIONER ABBOTT:

Yes.

COMMISSIONER GALLAGHER:

The class that's finished. Now, that class, the assignments of officers in that class is a coefficient of the activity in each precinct. In other words, how are we going to distribute the officers that come out of that class and there's always a certain amount of -- you know, you can correlate it to the number of people that have retired from there, but you also correlate it to the activity in the precinct and how much you want each precinct to have, what kind of staffing is correlated to what kind of activity goes on in the precinct. So these kind of analysis go on on an ongoing basis, I know that's one time that's a high water mark when you put a class out.

LEG. BISHOP:

Our staffing level over this three year period has been relatively flat?

COMMISSIONER GALLAGHER:

I would think so. Yeah, there may have been some dips but I think if you looked at it over the three year period, I don't think there's been a dramatic increase or decrease. Our constant game is to keep up as high to that 27 plus number that we think is an adequate number. The problem with that is the retirements. You know, you put a class of a hundred out, I think the last class we put out was 110 I believe, I'm not sure of the numbers, but I know the net gain was less than five, you know, five people because there's been so many retirements. It's something to keep in mind, that when you see numbers like a hundred graduates or a hundred -- I swore in a class of 101 yesterday, but by the time we get through with that class, that 101 number compared to retirements will be a minuscule gain.

COMMISSIONER GALLAGHER:

We have 50 signed up for retirement already, so we're down to 50, and that affects our ability to go to the Federal Government for COPE

money, we have to add money because we have to maintain certain levels just to qualify for that.

COMMISSIONER GALLAGHER:

Yeah, it's a maintenance of effort that's required, you have to show that you maintain the effort to keep the strength up. So I can't give you a specific correlation but I just know what it does go on, when different kinds of assessments are made as to the precincts, the number of sector cars that are down, that's another factor that's

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taken into account, these statistics are raised -- there is one thing that was done that I think was a positive step on the part of the Legislature that goaded the department into increasing the presence of COPE units. We now have COPE seven days a week and that's a result of your --

LEG. BISHOP:

Badgering.

COMMISSIONER GALLAGHER:

-- action here that that got that changed.

LEG. BISHOP:

Grand larceny, what is that exactly, what's the definition?

CHIEF DEPUTY COMMISSIONER ABBOTT:

I believe it's over \$2,500 and they break it out by larceny, auto and other.

LEG. BISHOP:

It's not a robbery or a burglary.

COMMISSIONER GALLAGHER:

No, it's not a robbery or burglary. But you bring up the burglary, Legislator Bishop, and that's one of the things that we are looking at. As the Commissioner mentioned just a few minutes ago, while over a three year period burglaries are ticking down, over the last couple of years the residential burglaries are inching up as opposed -- disproportionate to commercial burglaries. That has caught our attention and we're trying to address that in a number of ways, and one of the ways is by talking to Legislator Carpenter, talking about the secondhand metal dealers. We've instituted or we're trying to institute number of issues that can help us address this through career criminals, through better dialogue with Probation and Parole, increasing our criminal intelligence, trying to develop informants, because we feel that a residential burglar is a very dangerous type of a criminal, very dangerous type of criminal. So as relation to statistics, that's one of the things that we are trying to address.

LEG. BISHOP:

Back to grand larceny, why do we have, in your opinion, a 50% increase in three years? Is that just a reporting issue or --

COMMISSIONER GALLAGHER:

The economy, probably some people out of jobs.

LEG. BISHOP:

I mean, that's really jumping up, in your opinion, we're seeing 50% more Grand Larceny than it was years ago.

COMMISSIONER GALLAGHER:

It's not as significant.

CHAIRPERSON CARPENTER:

Embezzlement, does that fall into that category?

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COMMISSIONER GALLAGHER:

It's cojoined with grand larceny and larceny, yeah, an embezzlement of over \$2,500.

CHAIRPERSON CARPENTER:

Okay. Legislator Bishop, are you finished?

LEG. BISHOP:

Yes.

CHAIRPERSON CARPENTER:

Okay, Legislator Lindsay.

LEG. LINDSAY:

I mean, could it be in regards to -- I know we've had a number of new initiatives as far as white collar crime. I mean, could it be that these crimes were going on before but they were never detected?

LEG. BISHOP:

That's what I was --

COMMISSIONER GALLAGHER:

Well, as far as whether they were reported, obviously, yeah. If people weren't aware of what was happening, it's possible that the numbers have gone up because of an increase in awareness and reporting of thefts over \$2,500.

CHAIRPERSON CARPENTER:

Legislator Bishop?

LEG. BISHOP:

No.

CHAIRPERSON CARPENTER:

Okay. Are you --

LEG. LINDSAY:

No, I had some other questions.

CHAIRPERSON CARPENTER:

Oh, on this?

LEG. LINDSAY:

No.

CHAIRPERSON CARPENTER:

Okay. I think Legislator Postal does on this specifically.

LEG. POSTAL:

Yeah, I don't see a category for sale of controlled substances; I know that that can rise to a felony depending on all kinds of things.

COMMISSIONER GALLAGHER:

These are the index crimes that get reported to the National Crime Statistics and that's not considered an index crime.

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LEG. POSTAL:

So that we don't keep track of whether that's increasing and by what percentage?

COMMISSIONER GALLAGHER:

We keep some track of it, yes, but it doesn't -- it's not one of the -- what's it called, the big eight.

LEG. POSTAL:

Okay. Because it seems to me that that's a crime which you could directly relate to patrol and staffing levels. I mean, in my district there's a terrific correlation; when patrols go down drug dealing increases. We were just talking yesterday, you were at a meeting at North Amityville Taxpayers Association, I don't know, a year ago or something like that.

COMMISSIONER GALLAGHER:

Yes.

LEG. POSTAL:

The same participants of that meeting were talking yesterday about

problems which hadn't -- had disappeared from North Amityville which are now back. For example, people being approached on Albany Avenue and offered narcotics for sale, and I'm talking about people who don't look like they would be buying narcotics, parents coming to the Tutor Time Child Care Center to pick up their children, those kinds of things, and I'm very concerned about that as other people who live in the community. And I think just as a guess that I would imagine that's one of the crimes that you could relate directly to the level of patrol.

COMMISSIONER GALLAGHER:

Well, yeah, any kind of open sale like that is going to be mitigated by the presence of a uniformed patrol, absolutely.

LEG. POSTAL:

That's right.

COMMISSIONER GALLAGHER:

Are these people reporting these things that they're saying?

LEG. POSTAL:

I don't know.

COMMISSIONER GALLAGHER:

One of the biggest problems we face is things go on and people talk about them but nobody tells us about them and --

LEG. POSTAL:

You know, I can tell you that --

COMMISSIONER GALLAGHER:

And then they say, "What are you doing about it," we say we never even knew that this was -- you've got to report these things.

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LEG. POSTAL:

I get reports all the time. A lot of the people who report are afraid to call the police and the reason they're afraid to call the police is that the patrol car comes to their house, and with good reason, they're terrified of their neighbors who are dealing drugs. They don't want the neighbors to know that they called the police, so they call me and I call the precinct. I can't say that that means that every person who is approached calls the precinct or in some way notifies the precinct, I don't know. But I assume that the people who were discussing this yesterday were community leaders and since they know about it, I know they're also in the habit of transmitting information to the precincts if the individual is afraid to do so himself or herself, and yet it keeps increasing.



COMMISSIONER GALLAGHER:

Well, could I maybe impose on you, if you can put me together with these people?

LEG. POSTAL:

I would love to.

COMMISSIONER GALLAGHER:

I would like to meet with them personally.

LEG. POSTAL:

Sure.

COMMISSIONER GALLAGHER:

Go over with them and the precinct staff of what we can do.

LEG. POSTAL:

Okay, I would be happy to do that.

CHAIRPERSON CARPENTER:

Legislator Lindsay, you had some more questions.

LEG. LINDSAY:

Yeah, I want to get back to what we were talking about before about manpower. We're scheduled to start 140 new recruits over the next six months or eight months or so.

COMMISSIONER GALLAGHER:

Well, 101 went into the academy yesterday of our officers, there are a certain number of other recruits there that are not members of the Suffolk County Police Department, there are sister agencies that we train.

LEGISLATOR LINDSAY:

I'm talking about next year.

COMMISSIONER GALLAGHER:

Oh, next year, the 2003 budget.

LEG. LINDSAY:

Yeah.

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COMMISSIONER GALLAGHER:

What did you finally wind up giving us?

LEG. LINDSAY:

What was asked for. No, I thought it was 140, 40 now and 100 next July?

LEG. BISHOP:

Right, Roz will know.

MS. GAZES:

Right now in what the Omnibus included is one class of 100 recruits in the middle of 2003. They asked for two classes of 50 each, February and June, and they consolidated.

COMMISSIONER GALLAGHER:

We got the same number but a different arrangement.

LEG. LINDSAY:

My question is how --

COMMISSIONER GALLAGHER:

That does effect our patrol, just so you understand; but the later you put them in the class the later we get to use them.

LEG. LINDSAY:

How does that measure out in terms of retirement at year's end?

COMMISSIONER GALLAGHER:

Well, by using -- the best measure we can give, it will probably do the same thing as I've just said here, it will keep us pretty much running in place. There may be a slight setback because of the timing of the 100 class in 2003 when, you know, measure it up against the number of retirements that are going to take place. By the time that class is ready to get out in the street we'll be if not in, certainly close to 2004; when did you say is the start?

LEG. LINDSAY:

July.

CHAIRPERSON CARPENTER:

July.

COMMISSIONER GALLAGHER:

July, so there's a nine months difference, so obviously close to 2004. So by that time, now you may be a little behind the curve, but it's a -- we have had that -- we faced that problem before.

LEG. LINDSAY:

That's fine.

CHAIRPERSON CARPENTER:

Okay. Any other questions? I want to move to a different topic, we just --

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LEG. LINDSAY:

Could you forgive me? Just one more question.

CHAIRPERSON CARPENTER:

Sure, not a problem.

LEG. LINDSAY:

Now, we're going to give a test in May, a new police test?

COMMISSIONER GALLAGHER:

I'm not sure when Civil Service --

CHIEF DEPUTY COMMISSIONER ABBOTT:

It's scheduled for May.

LEG. LINDSAY:

But that won't effect this next group, right, they'll come off the old list?

COMMISSIONER GALLAGHER:

As far as I know. Until the new list, until the results of the new test are promulgated and that becomes the official list, then the old list is still in place.

CHAIRPERSON CARPENTER:

Thank you. I had a number of calls at my office about Halloween pranks and after -- well, actually before I had some calls because people were very concerned because last year was very problematic in certain areas of my district; one man sustained an injury and people were really very concerned. I was very pleased to hear on Halloween morning that you were on the airwaves, you know, talking about the fact that the Police Department took any, you know, crimes of any kind very seriously and you weren't going to tolerate anything and there was an improvement. But there's still, I had a woman call who was inundated, had like 150 kids hanging out on her lawn throwing cases of eggs and her young kids were terrified in the house crying and it was really just a very sad commentary on this particular community. But she raised something with me that next year the holiday is on a Friday and the following year it's on a Saturday and absent some torrential downpour of rain, these people are really afraid. And I don't know -- I know we don't have the resources, because I'm sure that this community is not unique and she had mentioned some ordinances in other localities and I don't know if this is something we want to consider. But if you can do some research on it and see if there is something that we can do proactively to try to eliminate this kind of situation.

COMMISSIONER GALLAGHER:

I'm not sure in terms of ordinances --

CHAIRPERSON CARPENTER:

Well, as far as kids being out on the street after a certain hour or, you know --

COMMISSIONER GALLAGHER:

That would come under a curfew and I don't know that we have -- I

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don't know that any community has a curfew in the County. But, you know, in terms of -- there's some communities, I know some local areas that I believe in some towns they have prohibited or inhibited the sale of certain substances around Halloween time such as shaving cream, I don't know how they do that, quite how they do it but they try to make it uncomfortable for merchants to sell these things to people under a certain age in large quantities.

CHAIRPERSON CARPENTER:

This one person that had contacted me said she had some information on some localities that had those kinds of things, so I asked her to send it to me and I will share it with you, but I just ask that you think about it. I'm sorry, what?

LEG. BISHOP:

I remember that we did a curfew bills years ago.

LEG. POSTAL:

Mike O'Donohoe sponsored it.

MR. HOGAN:

Mahoney, Pat Mahoney.

CHAIRPERSON CARPENTER:

Mahoney? Well, then it was before our time if it was Mahoney.

LEG. BISHOP:

No, there was one after.

LEG. POSTAL:

Evidently the West Islip area.

CHAIRPERSON CARPENTER:

Anyway, I just ask that you think about it and I thank you for recognizing the potential for problems that morning and saying something.

COMMISSIONER GALLAGHER:

We put out on Halloween, Chief Compitello staffed every car in every sector in the entire district, we had no cars down, every sector was

fully staffed, and it's the best you can do. We had increased patrols, we had zone cars out, each precinct has its own serious set of problems but you go from year-to-year, I would assume the area that had a tremendous problem this year, you try to in effect saturation patrol in that area the next year.

CHAIRPERSON CARPENTER:

I had actually written to the hospital and asked them to beef up their security that night because there's an area behind the hospital where kids traditionally have hung out in this park, it takes them from one neighborhood to another, and they were very responsive in that endeavor. And I also wrote to the school district and asked them to request their faculty to remind kids that Halloween was not necessarily a license for mischief and that that wasn't what the holiday was meant to be and they actually sent security cars around, had more security because, you know, I had gotten comments the next

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day about that, but there was a lot more security around the schools. Unfortunately this one house is across the street from the school so because the school was patrolling their property, the kids that were normally hanging out behind the school now moved over further into the neighborhood. Legislator Bishop, did you have something you wanted to share?

LEG. BISHOP:

I have a request for the next meeting. This was exactly what I was looking for. Do you have something similar on vehicle summonses, traffic enforcement, traffic law enforcement for the last three or four years? I know you had several initiatives --

COMMISSIONER GALLAGHER:

I don't know about the last four years but we can break down summonses I think or summons activity. Let me see how extensively I can break it down for you. We do keep -- I know we keep specific records, detailed records for the so-called Operation SITE which takes place in the summer months, let me see if those records are also available for year-round, Legislator Bishop.

LEG. BISHOP:

Every Legislator, you've heard it over and over again, this is perhaps in my district the number one complaint, that the traffic enforcement is not to the degree that they would like and I always say we're doing more and I would like to be able to show them.

COMMISSIONER GALLAGHER:

We can show you that, yeah.

CHAIRPERSON CARPENTER:

Again, it all goes back to the staffing. You know, if we had more police and we had more cars out there, you know, there would be more enforcement.

LEG. LINDSAY:  
Cameras.

LEG. BISHOP:  
Flexibility; there's all sorts of ways to skin a cat.

CHIEF DEPUTY COMMISSIONER ABBOTT:  
Legislator Bishop, while we might be able to give you all those statistics, to break it down by a speeding over 30 miles an hour or a left turn, that would be very problematic.

LEG. BISHOP:  
I don't know if you have a big set of traffic enforcements, but whatever you have that will tell the story fully.

COMMISSIONER GALLAGHER:  
Yeah, we have some. As I said, during the intense supervision periods of the Operation SITE months, we do break down such as a stop sign violations and red light violations.

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LEG. BISHOP:  
Speeding.

COMMISSIONER GALLAGHER:  
But let me see if we can give you something of that nature or as close we can approximate those specific conditions over a three year period.

LEG. BISHOP:  
Yeah. And then lastly, I sent you a draft bill that I'm interested in sponsoring; have you received that and commented? I said I was intending to file it by December 1st.

COMMISSIONER GALLAGHER:  
The bill is?

LEG. BISHOP:  
It's to have a website which would show traffic accidents in the County of Suffolk.

COMMISSIONER GALLAGHER:  
I think we received it, I think it's in the Chief of Department's office now. Yeah, we'll get back to you on it. My recollection of it was the website -- no, never mind; I don't want to comment until I'm sure.



LEG. BISHOP:

Thank you.

CHAIRPERSON CARPENTER:

Sure, go ahead.

LEG. LINDSAY:

Yeah, one last comment before you fellas depart. I guess it was two or three months ago I had mentioned about I had a rash of cars broken into in my neighborhood, the headlights stolen, it was those new blue headlights, and one of them was in front of my house which really --

COMMISSIONER GALLAGHER:

The headlights?

LEG. LINDSAY:

Yeah, and the precinct tells me that you caught them, the group that was doing that. And just complements to you on that, it really made my neighborhood very, very happy.

CHIEF DEPUTY COMMISSIONER ABBOTT:

Thank you.

COMMISSIONER GALLAGHER:

Thank you.

CHAIRPERSON CARPENTER:

Thank you. Commissioner Abbott mentioned for the committee members -- I'll wait. That's all right. I just wanted to mention something, Commissioner Abbott mentioned the precious metal dealers and the pawn shops. If anyone gets any calls in their office from some of the

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dealers, they are concerned that some of the regulations are going to be changed. I have a bill out there, there's going to be a public hearing, we had a meeting with a couple of the dealers representing their group and members of the department and also Charlie Gardner from Consumer Affairs and there are going to be some changes made to the bill, so tell them, you know, not to panic. But as Jim Abbott said, I think it's going to help them in a way.

LEG. BISHOP:

Can I ask them a question on that?

CHAIRPERSON CARPENTER:

Sure.

COMMISSIONER GALLAGHER:

Just as a final note for the committee, if you're in front of a television set sometime this evening, there is a two part series that will commence tonight on Channel 12 on prostitution which deals a lot to some heavy degree with the growing number of prostitution activities and arrests that are taking place out here in Suffolk. I don't know if any of you see our daily bulletins, but they are quite frequently these houses of prostitution which mask as massage parlors, we're hitting them and raiding them. There's a purpose behind what we're doing besides the obvious one that it's against the law. We're establishing, in effect, a data base where this whole thing leads up to. It's one of the common mistakes that prostitution is a victimless crime, it's not because it's often associated with criminal activity of a very vicious sort. Both the prostitutes themselves can be victims of organized criminal activity and just the proceeds, the proceeds of prostitution can also feed other kinds of criminal activity. So we're establishing a long term -- it's a long term project we've been establishing on intelligence, in effect, an intelligence, connect the dots on this whole prostitution industry out here. But it includes the kind of relentless pursuit of prostitution parlors wherever, we have them, you know, in each precinct and we are going after them.

CHAIRPERSON CARPENTER:

Also, too, I would like to commend the regular rank and file police officer. I find that, you know, very often they are very proactive and when you're mentioning prostitution, I met a police officer from another precinct who had said -- was concerned that they didn't have town ordinance in the Town of Smithtown, as a matter of fact, about prostitution and, you know, they took the initiative. I gave them the name of someone to contact there on the Town Board and they took the initiative and I believe that the prostitution law has been approved now.

COMMISSIONER GALLAGHER:

Those local ordinances help us to close these places down when they become a public nuisance.

CHAIRPERSON CARPENTER:

Right. Sure, Legislator Nowick.

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LEG. NOWICK:

Commissioner, do you have any of this broken down into towns?

COMMISSIONER GALLAGHER:

What, prostitution?

LEG. NOWICK:

Well, including prostitution but any of these crimes, the murder, the

grand larceny?

COMMISSIONER GALLAGHER:

Well, they're broken down in more detail by precinct, the activity by precinct.

LEG. NOWICK:

Oh yeah, 4th Precinct would be --

COMMISSIONER GALLAGHER:

Which would roughly translate to towns.

CHIEF DEPUTY COMMISSIONER ABBOTT:

As to the prostitution, if I could just elaborate on what the Commissioner was mentioning. We were looking into this as a racketeering concept with the District Attorney before September 11th, obviously September 11th changed the focus of a lot of what we do. I don't know what the article is going to be about on television tonight, but I'd like you to be rest assured that we are all over this thing. Patrol, the detective division, intelligence, the District Attorney's Office, the Federal Government, it's something we have our eye on the ball with this. And we're not looking at it just as prostitution, we're looking at it as racketeering type basis, an organized crime racketeering act and State Statutes. A lot of the people involved in this come from certain areas, specific areas in Queens and Brooklyn and we see the same faces, we have elaborate flow charts. Unfortunately this was all leaked to the press and I think that's why we have it, so I don't know if I'm telling you anything that you should know already or don't already know. I would just like to put you on constructive notice that we're on top of this in advance.

CHAIRPERSON CARPENTER:

Great. Thank you. Legislator Nowick, did you have any more questions?

LEG. NOWICK:

No.

CHAIRPERSON CARPENTER:

Okay. Legislator Postal? Legislator Bishop?

LEG. BISHOP:

Back to metal dealers which is a lot less --

COMMISSIONER GALLAGHER:

Interesting.

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LEG. BISHOP:

I don't know what the word is. I understand from one of the metal dealers that we have a police officer whose job it is to go to every pawn shop and physically check the registry book every week; that to me seems like an antiquated position. Isn't that something that should be modernized, done by computer?

CHAIRPERSON CARPENTER:  
That's what's in the bill.

CHIEF DEPUTY COMMISSIONER ABBOTT:  
I believe it's once every 15 days, I could be wrong on that. But to answer your question, yes, it is antiquated, it's very costly manpower wise.

LEG. BISHOP:  
Right.

CHIEF DEPUTY COMMISSIONER ABBOTT:  
We would like to get on-line reporting and Legislator Carpenter is helping us in that area. We would like to get eventually, eventually some type of a photographic imaging center to our property cover units. All this we're trying to balance, you know, there are legitimate secondhand metal dealers who are just trying to make a living, we're not trying to hurt anybody. We'd like to have just one part of our overall approach to reducing burglaries in the County, just one small part of what we're looking at. So to answer your question, yes, they do do it and we're looking to automate it.

LEG. BISHOP:  
Very good.

CHAIRPERSON CARPENTER:  
Now --

LEG. BISHOP:  
I just have one more thing.

CHAIRPERSON CARPENTER:  
Sure.

LEG. BISHOP:  
When I was first elected ten years ago I used to get calls from --

CHAIRPERSON CARPENTER:  
Nine years, nine and three-quarters.

LEG. BISHOP:  
It seems like ten.

CHAIRPERSON CARPENTER:

It's nine and seven months, it will be ten February 25th.

LEG. BISHOP:

I'm in my tenth year, it doesn't matter. I received phone calls from a factory owner off New Highway in North Lindenhurst, North Amityville,

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who complained about prostitution, we have to do something about prostitution. Then I read in the newspaper that this factory owner was arrested for running a prostitution ring out of his house in Dix Hills.

COMMISSIONER GALLAGHER:

Competition I guess.

LEG. BISHOP:

I guess it's stories like that where we have to, because after a while it just becomes too same old. Finally, one of the things that I have been reading a lot about is that there is great illegal exploitation, you mentioned white slavery, in a lot of the exotic dancing clubs; is that something that we are looking at?

CHIEF DEPUTY COMMISSIONER ABBOTT:

That's part and parcel of everything that we've started to look at pre 9/11/01, interrupted significantly by allocation of manpower due to 9/11. But to answer your question, yes, the prostitution, video stores, dances, how they get here, where they're coming from, if there's commonality of people who support the operations; we're looking at all of that in conjunction with the DA.

LEG. BISHOP:

Good. Thank you.

CHAIRPERSON CARPENTER:

Thank you. Legislator Postal I believe has a final question.

LEG. POSTAL:

Yeah, on that question. I'm really very pleased to know that you're pursuing some of this from a racketeering point of view because I know that the precinct personnel are very frustrated. In my district the big problem is street prostitution and they arrest the prostitutes and they're literally out on the street within 24 to 48 hours which, first of all, drives the community crazy and secondly, frustrates the police officers. And I could -- is there a way -- and maybe I shouldn't even ask, but -- I won't ask, I'll just say it would be wonderful if there could be a way to prosecute the street prostitutes from either the racketeering approach or some other approach that would mean a longer period of incarceration.

CHIEF DEPUTY COMMISSIONER ABBOTT:

The prostitutes involved in this we believe, we suspect are, in fact, victims. So to victimize them a second time by longer incarceration -- that would be a District Attorney's decision, but I think that might not be ones of the things -- as to organized prostitution, I'm not talking about street walkers.

LEG. POSTAL:

Yeah. Well, it's just that, you know, many of the street prostitutes are addicts, you know, they're crack addicts and what happens is sometimes they're arrested and they get off crack but they're not given any kind of therapy and so they're back on the streets and they're using right away. You know, my thought is if we could

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incarcerate the prostitutes and somehow incorporate requirement for some kind of treatment, then we might have a better chance.

CHAIRPERSON CARPENTER:

Okay, that seems to be it with questions.

COMMISSIONER GALLAGHER:

Thank you.

CHIEF DEPUTY COMMISSIONER ABBOTT:

Thank you

CHAIRPERSON CARPENTER:

You're not leaving in case there are any questions on resolutions, right?

COMMISSIONER GALLAGHER:

No.

CHAIRPERSON CARPENTER:

No, you don't have to sit down, but don't run too far away, okay? All right, I know that Dave Fischler is here from FRES, I don't think there are any issues but I appreciate you being here, and let us move to the agenda.

#### TABLED RESOLUTION

1590 -- oh, we had a second card, yes. Oh, Ellie, Ellie Smith did fill out a card.

LEG. CARACAPPA:

You have been saved.

MS. SEIDMAN-SMITH:



Thank you so much. I went to a party and one of my -- my sister is seven years older, this is just a quick question -- a quick anecdote. And one of the woman who never met me before said, "Oh, you're Sherry's sister," and I said yes and she said, "Oh, so you're her older sister;" so I guess I've aged, but I'm back and I thank you. It's been a trying experience but the good news is is that we are carrying on in record numbers and we're continuing to do what we do best and we will continue.

CHAIRPERSON CARPENTER:

We do know that and we appreciate that and it's nice of you to come down, but did you have something specific today?

MS. SEIDMAN-SMITH:

Yeah, I do.

CHAIRPERSON CARPENTER:

Good.

MS. SEIDMAN-SMITH:

I do, actually.

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LEG. BISHOP:

There's a note in the Omnibus, there was a note that says that if the Red Cross and the Sheriff's Department can demonstrate that there's no fiscal impact loss of aid or revenues in any way, that the Legislature is of a mind to move the program to the Sheriff's Office.

MS. SEIDMAN-SMITH:

Fifteen percent of all Community Service (inaudible) are out of the Sheriff's Department in New York State and the greater number in the country, 30% are our Sheriff's Department. What they have done in Nassau is they have combined the Probation Department into the Sheriff's Division and now they have a Department of Corrections in Nassau County, I heard about that last week, where both Probation and Community Service are under the Sheriff's Department. So I would appreciate that ASAP, thank you.

But I did want to talk about two things. One, our graffiti unit has also been seeing an increase in graffiti, gang graffiti and we're working with the 1st Precinct, 2nd, 5th and 6th COPE units, daily we're out cleaning up graffiti, the graffiti crime after the police have identified it. So we have been called on a daily basis, we were actually on Channel 12, {Jan Retz} our Graffiti Coordinator was asked his opinion about it and he's an eloquent speaker, we will be losing him again December 31st of course we're hoping our graffiti money was abolished as it is every year, so hopefully that will not be an issue for right now.

But today I represent the Public Information piece and I would like to hand out, the National Community Sentencing Association is going to be sponsoring the 18th Annual Conference in Hauppauge at the Windham. We had an excellent response on planning, we have a Long Island Planning Committee representing the Probation Department, the Sheriff's Department and 15 other community groups. And I would like to just emphasize that we are having a call for presenters and we're asking for 15 breakout groups. We've asked the Probation Department to highlight their programs, we have the Sentencing Strategies, the Judiciary will be presenting their strategies, the Drug Court will be highlighted; we have about 800 people coming to Suffolk County in June, the 22nd. New York City will be coming and 15 other states will be represented as well. So I would like to keep you informed on this.

CHAIRPERSON CARPENTER:  
Okay.

MS. SEIDMAN-SMITH:  
And that's important for me to stress to you that this is the public information piece and if you have anyone who would like to make a presentation or present at our conference, I included the submission.

CHAIRPERSON CARPENTER:  
Okay, good. Elie, you might want to touch base with Debbie Eppel who heads our Public Information Office for the County, she might be helpful with that.

MS. SEIDMAN-SMITH:  
Is she here?

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CHAIRPERSON CARPENTER:  
Yes, she's right there.

MS. SEIDMAN-SMITH:  
Okay, thank you very much.

CHAIRPERSON CARPENTER:  
Okay. Let us move now to the agenda.

#### TABLED RESOLUTIONS

1590-03 - Amending the 2002 Capital Budget and transferring positions from the Department of Public Works to the Police Department (Postal).

LEG. POSTAL:  
You know, I have a real problem with the results of this because I still continue to be convinced that it's really more efficient and

important to the successful operation of our Police Department to transfer at least the Fleet Service in the precincts back to the Police Department from the Department of Public Works. There was a meeting convened, the person in the department who handles this issue in the Police Department said that there were no problems brought up, I don't know if anybody else hears from their precincts but I hear from mine.

LEG. BISHOP:

I don't, he hasn't called me.

LEG. POSTAL:

You have to go there and talk to them. You know, the problem is -- and especially now when we're trying to save money, they're only allowed to do minor maintenance at the precincts like oil changes, if there's anything that needs to be done that's beyond what you would call regular maintenance, the car's got to be taken to Fleet Service which means it has to be transported here. Aside from the fact that you have to put in a work order and get it signed by DPW in order to get any of that done which takes time which you wouldn't do if it was in the Police Department at the precincts. Then the car comes here, has to be fixed, goes back, that's at least two days that the car is out of commission.

The way it used to be and the way it would be if the precinct fleet was in the Police Department is mechanics do the work right there and it gets done and the car is back on the road sometimes within the same day. When we're trying to save money on buying cars, we could save a heck of a lot of money if we had a car repaired right at the precinct instead of taking at least two days to repair it which means it's out of commission. So I'm really frustrated because there doesn't seem to be a whole lot of support for this, and yet keeping it the way it is is the most inefficient operation I have ever seen.

CHAIRPERSON CARPENTER:

I have a question. Absent the positions, do they -- I mean, apart from the positions, do they have the equipment to do other than maintenance at the precinct, or is the next phase of this going to be that we need to, you know, put lifts in or whatever?

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LEG. POSTAL:

Well, I can certainly you what my precinct mechanic says who is Bruce who is I think the best mechanic in the whole County.

LEG. BISHOP:

(Inaudible).

LEG. POSTAL:

Well, he doesn't fix my car but I can tell you, he keeps squad cars -- because he's terrific. He cares nothing about the hours he works, he never collects overtime; three o'clock to him is not quitting time, he's there til he finishes what needs to be done. He's a magician, you can ask anybody at the 1st Precinct. And Bruce says that he has the equipment there to do most repairs, you know, not I guess changing a transmission, but he can do most repairs, certainly beyond the kind of things like oil changes and tire rotation right there and he doesn't need equipment, he's got it there. So I'm going to make a motion to approve this because I'm tired of seeing it sit here.

LEG. CARACAPPA:  
Second.

CHAIRPERSON CARPENTER:  
Okay. We have a motion and a second. All those in favor? You made a compelling argument.

LEG. POSTAL:  
Thank you.

CHAIRPERSON CARPENTER:  
All those opposed? The resolution is approved (VOTE: 6-0-0-0).

LEG. POSTAL:  
Thank you.

LEG. BISHOP:  
Bruce whoever he may be.

LEG. POSTAL:  
I'm going to introduce Bruce to you.

CHAIRPERSON CARPENTER:  
You should. 1638-02 (P) - Establishing Anti-Gang Youth Bureau to educate school children (Fields). This too has been on the agenda a number of months and I think that Probation made a good argument that this is really basically already being done. So I have a motion to table subject to call, a second. All those in favor? Opposed? It is tabled subject to call.

LEG. BISHOP:  
Opposed. (VOTE: 5-1-0-0 Opposed: Legislator Bishop).

CHAIRPERSON CARPENTER:  
I think we should do the same with the next resolution, 1648-02 (P) - Establish Common Sense Police Emergency Response Act of 2002 (Towle),

since we're in November and this has been here a number of months. Do we have a motion to table subject to call?

LEG. LINDSAY:

I will make that motion.

CHAIRPERSON CARPENTER:

Made by Legislator Lindsay, second by Legislator Postal.

LEG. CARACAPPA:

Opposed.

LEG. BISHOP:

Opposed.

CHAIRPERSON CARPENTER:

That, too; oh, we're going to clear this agenda, wonderful.

Tabled subject to call (VOTE: 4-2-0-0 Opposed: Legislators Caracappa & Bishop).

1829-02 (P) - Adopting Local Law No. 2002, a Local Law authorizing property tax exemptions for volunteer firefighters and ambulance workers (Cooper).

LEG. POSTAL:

Madam Chair?

CHAIRPERSON CARPENTER:

Yes.

LEG. POSTAL:

Has this been straightened out? You know, we had a great deal of discussion about how this would come to.

CHAIRPERSON CARPENTER:

A question to Counsel; do you know if --

MR. SABATINO:

The ultimate --

CHAIRPERSON CARPENTER:

That's right, the State didn't go back.

LEG. BISHOP:

Motion to table.

LEG. POSTAL:

Second.

CHAIRPERSON CARPENTER:

Motion to table by Legislator Bishop, second by Legislator Postal.  
Tabled (VOTE: 6-0-0-0).

Same motion, same second on 1832-02 (P) - Adopting Local Law No.  
2002, a Local Law implementing volunteer firefighter and ambulance

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worker County Real Property Tax Exemption (County Executive). Tabled  
(VOTE: 6-0-0-0).

1860-02 (P) - Establishing Child Sexual Abuse Prevention Education  
Policy for Suffolk County (Cooper). I spoke with Legislator Cooper  
last evening at length and --

LEG. BISHOP:  
Always, that's assumed.

CHAIRPERSON CARPENTER:  
And he had said that he had made some changes on this bill and  
actually took it back to the original, giving it to the department to  
make the decision.

LEG. BISHOP:  
We didn't pass one of these yet.

LEG. CARACAPPA:  
It's on the floor this week.

CHAIRPERSON CARPENTER:  
One is on the floor.

LEG. NOWICK:  
There's another one over here, agency selection. Didn't we pass --

CHAIRPERSON CARPENTER:  
Yeah, we passed your bill.

LEG. CARACAPPA:  
Yours is live Tuesday.

LEG. NOWICK:  
Mine is live Tuesday; let's table the other two, the other one. I  
don't know what Cooper wants to do with 1860.

LEG. BISHOP:  
We need Paul.

CHAIRPERSON CARPENTER:  
Go ahead, Paul.

MR. SABATINO:

Legislator Nowick's bill is on the floor of the Legislature, that had a corrected copy filed after the last meeting which deleted Response and added VIBS and CAPS as contract agencies, that's on the floor of the Legislature. That's mutually exclusive with Legislator Caracappa's and Legislator Cooper's alternative, so you have a choice between the three.

LEG. BISHOP:

Cooper and Caracappa name agencies; no, they don't name agencies.

MR. SABATINO:

No, Nowick names agencies but the change since the last time --

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LEG. BISHOP:

She changed the agencies, I got it.

MR. SABATINO:

Right. Legislator Caracappa had named the one agency and now Cooper has gone back to the original version which was to let Social Services designate the contract agencies.

LEG. BISHOP:

But functionally, Cooper and Nowick are going to end up in the same place because you've named every agency that has the capability to do it.

CHAIRPERSON CARPENTER:

But let me just -- Legislator Cooper, the point that he was trying to make -- and I don't mean that I'm advocating for his position or not, but I feel only fair in telling you what he said -- that if the agency should change that it gives the department the ability to, you know, select some new agency that may come on board.

LEG. BISHOP:

Well, this is not in perpetuity, right? Our naming, our designation runs --

CHAIRPERSON CARPENTER:

Is this going to be an annual thing?

LEG. NOWICK:

Well, no. Actually, what we have, we have named all the agencies, we could always change it. What we were trying to do, and I think Legislator Caracappa agreed, was to eliminate the middleman, just go right to the agencies.



LEG. CARACAPPA:

The middle process, the Bureaucrat.

LEG. NOWICK:

Right.

CHAIRPERSON CARPENTER:

Okay. Well, 1860 actually addresses --

LEG. NOWICK:

We can always change it.

LEG. BISHOP:

Because you don't apportion who gets what percentage of the contract work.

LEG. CARACAPPA:

No.

LEG. BISHOP:

Does the department still have that power?

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CHAIRPERSON CARPENTER:

Hold on. Hold on, wait a minute. First of all, 1860 really speaks to the prevention education policy where the businesses that do more than a certain amount of business have to --

LEG. BISHOP:

Okay. So they could use one of --

LEG. CARACAPPA:

They get to choose.

LEG. BISHOP:

They get to choose under Nowick.

MR. SABATINO:

The debate has evolved. Chairman Carpenter is correct, 1861, 1861 is the one that competes with Legislator Nowick's or Legislator Caracappa's.

CHAIRPERSON CARPENTER:

Right, but 1860 stands on its own and basically does what, tell us?

MR. SABATINO:

This was the -- this is the one that deals with any entity receiving more than \$50,000 in a calendar year would have to get into compliance with those educational and training provisions which are different

from the sexual abuse, it goes beyond that to pick up child pornography, alcohol, tobacco abuse, drug abuse, endangering welfare, non-support; it's beyond just the sexual abuse. It's expanding the --

LEG. NOWICK:  
Cooper's.

CHAIRPERSON CARPENTER:  
This is the education policy. I'm going to make a motion to table, I just --

LEG. BISHOP:  
Second.

CHAIRPERSON CARPENTER:  
Second by Legislator Bishop. That is tabled (VOTE: 6-0-0-0).

And let's go to 1861-02 (P) - Establishing Contract agency selection process for Education Component of Universal Child Sexual Abuse Reporting Policy for Suffolk County (Cooper). So if there is a desire to discharge without recommendation so both are on the floor or if you want to just table it, it's whatever the committee wants.

LEG. CARACAPPA:  
Motion to table.

CHAIRPERSON CARPENTER:  
Motion to table has been made by Legislator Caracappa, second by Legislator Nowick. All those in favor? Opposed? The resolution is tabled (VOTE: 6-0-0-0).

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1878-02 (P) - Appropriating funds in connection with the renovations & additions to Police Precinct Building - 4th Precinct (CP 3184) (County Executive). Again, this is the 4th Precinct. We will wait one more cycle and hopefully have that report, otherwise I'm going to try and move this. I will make a motion to table, second by Legislator Nowick. All those in favor? Opposed? It is tabled (VOTE: 6-0-0-0).

1916-03 (P) - Adopting Local Law No. 2002, a Local Law to implement enforcement of prohibition on video voyeurism in public fitting rooms, bathrooms and dressing rooms in Suffolk County (Cooper). Is this public hearing closed, Paul?

MR. SABATINO:  
1916, the public hearing has been closed in September.

LEG. NOWICK:  
Angie, just one question.

CHAIRPERSON CARPENTER:

Yes, Legislator Nowick has a question.

LEG. NOWICK:

Just a question for Counsel. Exactly what is -- I know we have discussed it before, this is the dressing rooms. When you say public voyeurism, is that --

CHAIRPERSON CARPENTER:

Public fitting rooms, bathrooms and dressing rooms. Yeah, Paul, do you want to --

MR. SABATINO:

What this deals with, there's an existing State Law, it's already on the books, which deals with the video cameras and the two-way mirror devices that are in public bathrooms and dressing rooms and retail stores, restaurants, motels/hotels; that law already exists at the State level which has criminal and civil penalties. However, that State law says that if a County wishes to enforce the civil component of it because the Attorney General's resources may be stretched too thin to cover all 62 counties, it's an option that's available to the County if they're willing to pass a Local Law and basically say that they will enforce the civil component through their County Law Department. And if this bill passes, then that option would be made available; if not, the law will continue to be enforced.

LEG. NOWICK:

There's already a criminal law.

MR. SABATINO:

There are criminal penalties which obviously the District Attorney already, together with the Attorney General, enforces and there's also the Attorney General has the capability of enforcing the civil provisions. But to the extent that you want the County to be able to enforce the preexisting statute you'd have to pass a Local Law to do it otherwise the County would not be involved.

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CHAIRPERSON CARPENTER:

Okay. Do we have a motion?

LEG. POSTAL:

Motion to approve.

CHAIRPERSON CARPENTER:

Motion by Legislator Postal. Is there a second?

LEG. NOWICK:

Second.

CHAIRPERSON CARPENTER:

Second by Legislator Nowick. All those in favor? Opposed?  
The resolution is approved (VOTE: 6-0-0-0).

1972-02 (P) - Amending the 2002 Capital Budget and Program and appropriating funds in connection with the Jail/New Replacement facility at Yaphank (CP 3008)(County Executive).

LEG. BISHOP:

Motion to table.

LEG. CARACAPPA:

Second.

CHAIRPERSON CARPENTER:

Motion to table by Legislator Bishop, second by Legislator Postal. All those in favor? Opposed? List me as opposed. The resolution is tabled (VOTE: 5-1-0-0 Opposed: Legislator Carpenter).

2016-02 (P) - Amending the 2002 Capital Program and Budget and appropriating planning funds for the construction of Suffolk County Police Museum Building (CP 3146.110)(Towle).

LEG. CARACAPPA:

On the motion.

CHAIRPERSON CARPENTER:

On the motion.

LEG. CARACAPPA:

I have always supported the Police Museum but it was my understanding that the old Yaphank garage was going to be used for the museum. Is this a new building; they want to construct a whole new building, Paul?

MR. SABATINO:

This is to start up a whole new process. This would be the -- part of the funding is for planning steps, but you're right, this would be --

LEG. BISHOP:

Motion to table subject to call.

MR. SABATINO:

-- different than what you would --

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LEG. LINDSAY:

Second.

CHAIRPERSON CARPENTER:

Motion to table subject to call. And I really think we ought to just table, but if you want --

LEG. BISHOP:

It's going to be on the agenda.

CHAIRPERSON CARPENTER:

All right, subject to call, a second by Legislator Lindsay. All those in favor of tabling subject to call? All those opposed?

LEG. CARACAPPA:

Opposed.

CHAIRPERSON CARPENTER:

Opposed. It passes. Tabled subject to call (VOTE: 4-2-0-0 Opposed: Legislators Carpenter & Caracappa).

LEG. BISHOP:

I'm the bad guy.

CHAIRPERSON CARPENTER:

Just so you know.

#### INTRODUCTORY RESOLUTIONS

Okay, 2049-02 (P) - Adopting Local Law No. 2003, a Local Law to require truth-in-selling statement for motorized scooters (Carpenter). Table pending the public hearing. Tabled (VOTE: 6-0-0-0).

2050-02 (P) - Authorizing, empowering and directing County Police Department to participate in Amber Plan (Bishop). I thought we were doing this, they had a whole big deal.

LEG. LINDSAY:

He did, too.

LEG. BISHOP:

We are doing it, but there was some ambivalence initially from the department when this bill was drafted.

CHAIRPERSON CARPENTER:

They were working with the guy from Washington.

LEG. LINDSAY:

What do you want to do with this?

LEG. BISHOP:

No, there was comments in the newspaper initially that they were

looking into it and they were uncertain. They have no opposition to this.

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CHAIRPERSON CARPENTER:

Okay, so this is moot.

LEG. BISHOP:

As Legislator Postal has often said, it's like chicken soup, it can't hurt.

CHAIRPERSON CARPENTER:

But they're already doing it.

MR. SABATINO:

This makes it mandatory. Right now -- the program is established as a voluntary program, parties can participate on a voluntary basis. This would codify it and --

LEG. BISHOP:

I'm not doing any press conference.

CHAIRPERSON CARPENTER:

No, go right ahead. I'll cosponsor it, too, I think it's great. All right, motion to approve, second by Legislator Lindsay. List me as a cosponsor. All those in favor? Opposed? Motion is approved (VOTE: 6-0-0-0).

2094-02 (P) - Amending the Suffolk County Classification and Salary Plan in connection with a new position title in the Police Department (Audio-Visual Production Manager) (County Executive). I see that Kris Chayes is here from Civil Service; do you have a problem with this?

MS. CHAYES:

We have no problem with it.

CHAIRPERSON CARPENTER:

Okay. I'll make the motion.

LEG. CARACAPPA:

A desk audit was done?

CHAIRPERSON CARPENTER:

Go ahead, Legislator Lindsay.

LEG. LINDSAY:

Just an explanation of why we need this new position.

CHAIRPERSON CARPENTER:

Well -- do you want to come forward, Kris?

LEG. BISHOP:

Is this to civilianize something.

MS. CHAYES:

This was a result of a desk audit.

LEG. CARACAPPA:

Thank you.

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MS. CHAYES:

The --

CHAIRPERSON CARPENTER:

Okay.

MS. CHAYES:

The individual who is currently working as a specialist in the Police Department requested a desk audit because they also have the responsibility of supervising other Audio Visual Production Specialists. They were the supervisor for their own title of people. So we went in and did the audit, found that they were, in fact, the lead person over this group of specialists, had other duties, some budgetary report duties, other things that added to this person's original job duties as a specialist and they were --

LEG. BISHOP:

Motion to approve.

CHAIRPERSON CARPENTER:

Great, thank you. Motion to approve by Legislator Bishop, I'll second that. All those in favor? Opposed? Approved (VOTE: 6-0-0-0).

2096-02 (P) - Amending the 2002 Capital Budget and Program and appropriating funds in connection with the Probation Officer Remote Access System (CP 3048) (County Executive). Fred Pollert came back with a copy of a page in Budget Review Office Report that referred to this project in regard to the fact that the Clerk, County Clerk feels that he can generate like half a million dollars worth of revenue once this thing is up and that's the offset that they're using. But Fred feels that we can get this clarified by Tuesday so I think I would like to discharge without recommendation and hope that we get an answer on this by Tuesday.

LEG. LINDSAY:

But by taking \$60,000 out of this project it will not abandon that.

CHAIRPERSON CARPENTER:



We don't know that.

LEG. LINDSAY:  
We don't know that.

CHAIRPERSON CARPENTER:  
That's what we need to find out, okay? And if there's someone here from the County Exec's Office, if you could please take the message back. You know, if you are working with the department and coming up with an offset, please touch base with Budget Review because if we had had the questions answered today we could have moved, you know, a little bit better.

LEG. BISHOP:  
Why are we rewarding it with a discharge? I don't mean to be --

LEG. LINDSAY:  
Is it time sensitive, Legislator Bishop?

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LEG. BISHOP:  
We'll just table it until the next meeting and they get their act together.

CHAIRPERSON CARPENTER:  
Well, you know, I --

LEG. LINDSAY:  
So we can get a report from the County Executive on is this going to --

CHAIRPERSON CARPENTER:  
Well, because I think the fact that they came down from Probation really explained the need for it because of their staffing levels, you know, I don't want to penalize them. I just feel we should try to keep the process moving along, we are in November as it is. So if everyone agrees I would like to at least do that and hopefully get the question of the offset answered. All right? So I have a motion to discharge without recommendation and second by Legislator Postal. All those in favor? Opposed? The resolution discharged (VOTE: 6-0-0-0).

2098-02 (P) - Amending the 2002 Capital Budget and Program and appropriating funds in connection with the purchase of a Mobile Command Post-Suffolk County Department of Fire, Rescue & Emergency Services (CP 3412).

LEG. CARACAPPA:  
What's the offset?

MR. SABATINO:

This converts pay-as-you-go to the serial bonds under that one year moratorium.

LEG. BISHOP:

How many conversions have we done this year?

MR. SABATINO:

In other words, it's in the -- you know, it's in the program but it would be converted from pay-as-you-go.

CHAIRPERSON CARPENTER:

I'll make that motion.

LEG. BISHOP:

I asked a question.

CHAIRPERSON CARPENTER:

Okay, but I want to have the motion live on the floor. Okay? I make the motion. And is there a second?

LEG. NOWICK:

Second.

CHAIRPERSON CARPENTER:

Second by Legislator Nowick. And Budget Review, if you would like to respond to the question.

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MR. REINHEIMER:

We don't have that answer right here. You want to know how much has been converted from General Fund transfers pay-as-you-go, right?

LEG. BISHOP:

Right.

MR. REINHEIMER:

We'll have to try and find that answer for you.

LEG. BISHOP:

I believe we've blown through the amount that we have.

CHAIRPERSON CARPENTER:

Okay. Well, can you at least answer that? I would assume that if we had gone beyond the amount that there is -- but we're converting it --

MR. SABATINO:

No, it would have -- there's two different questions. The pay-as-you-go that was in the budget for 2002 I thing was 2.5 million;

that pay-as-you-go money was used. Then there was the one year moratorium which said that in a normal year we were doing pay-as-you-go twelve to 16 million. So probably --

LEG. BISHOP:  
What are we at now?

MR. SABATINO:  
I mean, I'm just making a wild guess but I would suspect that we probably converted, with everything pending in this process, we probably converted 10 million.

LEG. BISHOP:  
Well --

MR. SABATINO:  
But that's the question you're asking.

LEG. BISHOP:  
The point of my question is that the moratorium is not an invitation for a stampede.

LEG. CARACAPPA:  
Correct.

MR. SABATINO:  
Right. Yeah, you want to know if it fell within the normal annual, you know, contemplate --

LEG. BISHOP:  
Right. In fact, we should be less than the normal annual considering that we're engaged in fiscal non restraint. So I would make a motion to table until the next meeting, until we get the information.

LEG. CARACAPPA:  
Second.

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CHAIRPERSON CARPENTER:  
Well, I would just --

LEG. BISHOP:  
I'm sure it's not time sensitive.

CHAIRPERSON CARPENTER:  
Well, it's time sensitive in that we're approaching the end of the year. And given the times that we're in, a Mobile Command Post is something that I think we can all agree is something that we want and the -- it is a replacement for one that is totally antiquated and, you

know, I would like to see us move forward with it. I don't -- you know, not that you're confusing it, but apart from what we've done, I think the need is there for the Mobile Command Post and I think we should move forward with it. But the tabling motion takes precedence; who made that motion?

LEG. BISHOP:  
Motion.

CHAIRPERSON CARPENTER:  
Legislator Bishop. And you made the second, Legislator Caracappa. All those in favor of tabling?

LEG. CARACAPPA:  
Just on the motion.

CHAIRPERSON CARPENTER:  
Sure.

LEG. CARACAPPA:  
I just want to make it clear, my position is the same as Legislator Bishop. At this point in the year I think we should show restraint with relation to what we're bonding.

LEG. BISHOP:  
We can do it next year.

LEG. CARACAPPA:  
And this is -- we really have done more of the conversions in 5-25-5 than I ever anticipated when we approved the measure last year to get us through this year. So the reason I am voting to table at this point is hopefully we can find some sort of operating offset as we come to the end of the year. I would much rather do it that way.

CHAIRPERSON CARPENTER:  
Okay. Well, the amount is \$400,000, I don't know how successful we're going to be in finding an offset at this stage of the game. But there is a motion and a second to table. All those in favor? Opposed? List me as opposed. The resolution is tabled (VOTE: 5-1-0-0 Opposed: Legislator Carpenter).

2100-02 (P) - Authorizing the County Executive to execute an agreement with the Suffolk County Deputy Sheriff's Benevolent Association covering the terms and conditions of employment for the period January 1, 2002 through December 31, 2003 (County Executive).

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LEG. BISHOP:  
I have a question on this.

CHAIRPERSON CARPENTER:

Yes, Legislator Bishop.

LEG. BISHOP:

Who is here representing people that made the contract; Mr. Tempera?

CHAIRPERSON CARPENTER:

Jeff Tempera and Vinny DeMarco, if you would like to come forward.

LEG. BISHOP:

My question is not for Mr. DeMarco; he's welcome to come up but it --

LEG. CARACAPPA:

I'm going to make a motion to approve first.

CHAIRPERSON CARPENTER:

Okay. Motion to approve, I'll second that motion. Jeff, go ahead.

LEG. BISHOP:

It's one question. Is there a provision in this contract which would have the Legislature endorse the Benefit Fund expansion that was done last year wherein the Benefit Fund is now funding widows of County employees for life?

MR. TEMPERA:

There's no provision in this agreement that addresses anything to do with the Benefit Fund.

LEG. BISHOP:

Okay. That's not my information, so I'm going to --

CHAIRPERSON CARPENTER:

There was --

LEG. BISHOP:

I think I read it.

CHAIRPERSON CARPENTER:

Yeah, I think there was some information about -- and maybe Budget Review --

MR. TEMPERA:

Are you talking about EMHP?

CHAIRPERSON CARPENTER:

Yes, I think that's what he's talking about.

MR. TEMPERA:

Our health insurance?

CHAIRPERSON CARPENTER:

It sort of ties it to EMHP?

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LEG. BISHOP:

I thought it was an expansion of benefits.

MR. TEMPERA:

This agreement was entered into back in September, September 13th. At that time the County was in agreement with all nine of its unions with regards to health insurance. There's a paragraph in here, Item No. 10 that this agreement simply --

LEG. BISHOP:

Yeah and the right --

MR. TEMPERA:

Yeah, simply brings into the collective bargaining process the modification agreement. That modification agreement was deemed to have been null and void by the erroneous numbers we received from The Segal Company. Since that time, the County and all nine unions have entered into an additional Memorandum of Agreement to hold harmless any changes with regards to health insurance until we get a new report.

LEG. BISHOP:

So the Section 10 you're saying doesn't apply.

MR. TEMPERA:

Section 10 wouldn't apply at this time because that agreement was deemed null and void.

LEG. BISHOP:

But -- well, why is it in there, A, and then B, what -- my concern is this. The Benefit Fund --

MR. TEMPERA:

Health insurance; it's got nothing to do with benefits.

LEG. BISHOP:

Health insurance, I'm sorry, the health insurance expanded its -- to me it's a benefit but you're right, it's a term of art. The health insurance fund was expanding benefits based on information that was erroneous, I guess that's what they're claiming in any case. The Legislature never ratified and was never included in that process and what I'm concerned with is that once you go back -- you say that it's suspended now, this provision?

MR. TEMPERA:

Right.

LEG. BISHOP:

But you're not planning to include the Legislature at any time in the decision of the extent of the health insurance benefits provided to employees.

MR. TEMPERA:

I can't answer that at this point, Legislator Bishop. We don't have a new agreement for a -- you know, where we are with the unions right now is we're awaiting the outcome of the audit. A decision will be

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made once we get the new numbers where we can sit down and negotiate an agreement as to where that agreement would go.

LEG. BISHOP:

Why would this be in here in the first place? If you don't need the Legislature to begin with, why include this provision?

MR. TEMPERA:

It was to conform the contract to the provisions of the MOA, that's -- if you look at No. 10, it just is amending that section of the contract to conform to the MOA that was dated May 30th, '01.

LEG. BISHOP:

The MOA is the expansion of benefits, health insurance benefits.

MR. TEMPERA:

While you're calling it the expansion of benefits, it was an extension agreement --

LEG. BISHOP:

Well, there's a pool of people receiving a benefit that didn't receive it prior.

MR. TEMPERA:

No, no. You're picking one provision out of an extension agreement that has started back in 1992, quite frankly, and has been extended over the years from '92 to '94. There have been extension agreements each year. And as part of the committee that oversees health insurance, what you're referring to, included in that agreement there might have been coverage that -- extended coverage for dependent survivors, is that what you're referring to?

LEG. BISHOP:

Right. Was there any lessening of coverage for any group, person as part of that MOA?



MR. TEMPERA:

Absolutely. The health insurance program was changed dramatically, and obviously all of the Legislators are covered by the health insurance program there were increases in deductible, there were increases in the copays. The drug program went to a three-tier drug program. You're looking at one provision out of a total revamping of the County Health Insurance Program.

LEG. BISHOP:

Was the MOA ever voted on by the Legislature?

MR. TEMPERA:

Not to my understanding; I wasn't in the office at the time but I don't believe it was ever put forward.

LEG. BISHOP:

So if it doesn't need Legislative ratification then when it matters, why put it in here? That's my question and that's what I'm weary of. I support the contract, I don't support the MOA and I don't want to vote to approve it if the MOA is in there.

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CHAIRPERSON CARPENTER:

I think --

LEG. BISHOP:

I don't think it's necessary.

CHAIRPERSON CARPENTER:

Vinny, if you would like to share or participate.

MR. DEMARCO:

Dave, you really shouldn't have a problem with this because it specifically says the May 30th, 2001, MOA and that's null and void now anyway.

LEG. BISHOP:

All the more reason that I don't want to take a vote endorsing it.

CHAIRPERSON CARPENTER:

So if this paragraph were to be exempted, would that be a problem for everybody involved?

MR. TEMPERA:

I don't think you can exempt -- and again, there's a --

CHAIRPERSON CARPENTER:

Or eliminate it.

MR. TEMPERA:

There's a -- you know, this MOA that contract extension went through a process already, not only was it approved by up-front, the Office of Labor Relations through negotiations with the union, it was approved by the union membership. I don't know from the union standpoint what would happen if you take one provision out of this MOA as to what their constitution calls for. What Vinny is saying to you is absolutely correct, the MOA that was dated May 30th, '01 was voided.

LEG. BISHOP:

You took it out by administrative action, didn't you? You just said it was voided so it was voided -- you're putting a semantic --

MR. TEMPERA:

It was voided through negotiations with all the unions.

LEG. BISHOP:

Right. So it's voided so it should be removed if it doesn't exist.

MR. TEMPERA:

I don't know how to put it any differently that it refers to an agreement that's been voided.

LEG. BISHOP:

Right.

MR. TEMPERA:

And I don't know that we can --

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LEG. BISHOP:

So then why is it in -- why are you asking me to vote on something that doesn't exist?

MR. TEMPERA:

Because this was addressed and negotiated with the unions back on September 13th of '02.

LEG. BISHOP:

Right.

MR. TEMPERA:

That's what was put out to the membership.

CHAIRPERSON CARPENTER:

Dave, would you yield to Legislator Postal? I think she might be able to shed some light on this.

LEG. POSTAL:

Jeff, am I right that the MOA was predicated on a savings in comparison with the Empire, it was -- I remember something about 8%; am I right?

MR. TEMPERA:

Well, the original health insurance Memorandum of Agreement, again, the history has been that we have always compared ourselves, rightly or wrongly, to the Empire Plan because that's where we came from. As part of the old MOA it contained a provision that for the next couple of years through '05, through '04 and then a comparison would be done in '05, as to whether or not we were eight and a half percent below the Empire Plan. If we were not, then the unions would have to get together with a consultant and come up with savings that would bring us in compliance to bring us below eight and a half percent. Obviously we found out since that point that the numbers that gave rise to that MOA, that the eight and a half percent was predicated upon were not true numbers.

CHAIRPERSON CARPENTER:

Right. That --

MR. TEMPERA:

And that's the subject of what the Finance Committee is looking at, what the District attorney is looking at and a lawsuit.

LEG. POSTAL:

Right. And the most recent MOA was predicated on that savings over Empire and included the provision that Legislator Bishop referred to which had to do with dependents of retirees and also --

MR. TEMPERA:

Dependent survivors I think is what --

LEG. POSTAL:

Survivors of County employees.

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MR. TEMPERA:

We don't -- excuse me?

LEG. BISHOP:

That's correct. Right, just survivors, not all retirees.

MR. TEMPERA:

Well, retirees have -- it also applied to a -- retirees have certain coverage already.

LEG. BISHOP:

They already had it.

MR. TEMPERA:

Dependent survivors and certain employees in the County dependent survivors all had this. What this did in dependent survivors was treat all the unions uniformly. There were members of many of the police unions through their contract negotiations over many years that had dependent survivor coverage, some of the civilians did not have dependent survivor coverage.

LEG. BISHOP:

Dependent survivors I think is the term.

LEG. POSTAL:

Right. So that provision that was in the most recent MOA for all bargaining units was contingent upon an eight and a half percent savings over Empire. Also, the increased copays, all the different -- all of the new aspects of EMHP --

MR. TEMPERA:

Correct.

LEG. POSTAL:

-- were contingent on an eight and a half percent savings over Empire.

MR. TEMPERA:

Correct.

LEG. POSTAL:

So that now that that issue is in question and it's out, the dependent survivors is no longer valid for any union that hadn't negotiated it into the contract before.

MR. TEMPERA:

No, because what the County and the unions entered into is what I refer to as a bridge agreement. We signed off with all the unions to not make any changes in that Memorandum of Agreement until we get an audit which is being conducted by the -- through the Audit Committee of Suffolk County. Absent that, if this agreement was null and void, there would be no basis to have health since insurance for the employees of Suffolk County.

LEG. POSTAL:

So that the Deputy Sheriffs were never included in that MOA?

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MR. TEMPERA:

No, they were part of that MOA, they're part of this bridge MOA as

well.

LEG. POSTAL:

Right, but I think you're confusing all of us because you're saying that the MOA is no longer valid, the MOA --

MR. TEMPERA:

The May 30th, 2001 --

LEG. POSTAL:

Right.

MR. TEMPERA:

-- Memorandum of Agreement which extended health insurance coverage for ten years was deemed null and void, the County and the unions entered into what's referred to as a bridge agreement until such time as we get an actuarial audit.

LEG. POSTAL:

So does this Section 10 refer to the bridge agreement?

MR. TEMPERA:

No, it refers to the original May 30th, 2001, agreement because that's what was in effect when the negotiations took place. Remember, we only found out about this --

LEG. POSTAL:

Now, at this point in time --

MR. TEMPERA:

Correct.

LEG. POSTAL:

-- right today, what is the status of that Section 10? That's what I think is confusing all of us.

MR. TEMPERA:

It's null and void.

LEG. BISHOP:

So remove it, strike it.

LEG. LINDSAY:

You can't. I want to talk.

CHAIRPERSON CARPENTER:

Go ahead.

LEG. LINDSAY:

You know, I understand the frustration of my fellow Legislators with

this whole problem with the health insurance and I guess I'm frustrated with it as well, just like I'm sure you guys are too because you're the ones that are on this board. But what our frustration is is that evidently we thought we were saving money and

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it's costing us more money and the Legislature doesn't have any input into that, your board has the only input into that. But I want to appeal to our fellow Legislators, that's not a reason to hold up this whole contract. And I also understand what you're saying, that if we were -- you can't -- at this stage of the process, you just can't take a pen and cross out that section without going back for a full ratification process and almost redoing the whole thing. I mean, you're probably talking about literally months more work if we were going to do that; am I right, Vinny?

MR. DEMARCO:

Yeah, you are correct.

LEG. LINDSAY:

All right. So I just ask everybody to approve this and --

LEG. BISHOP:

Do you have a legal opinion to that effect?

LEG. LINDSAY:

-- and to move on on this.

LEG. BISHOP:

What's the basis when you say that that can't be done?

LEG. LINDSAY:

No, it can be done, Dave. It's simply that the membership ratified this document, if you took one item and slashed it out it --

LEG. BISHOP:

We didn't slash it out, they voided it.

MR. SABATINO:

Exactly.

LEG. BISHOP:

Exactly, so the document doesn't reflect reality. And I'm not going to vote for something which I indicates that I support actions which I don't approve of.

CHAIRPERSON CARPENTER:

All right. Just as a point of information --

LEG. BISHOP:  
And neither should you.

CHAIRPERSON CARPENTER:  
We are secondary, we're the secondary committee on this contract and it has already --

LEG. BISHOP:  
As I reach my crescendo of passion.

CHAIRPERSON CARPENTER:  
It has already been approved in the Finance Committee.

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LEG. BISHOP:  
All right. May I ask -- but I'm going to bring these arguments up at the floor. And I don't think that this is not a solvable problem. My goal is not to blow up the contract, my goal is to have the document that we're voting on reflect reality and not to put me, you or any other Legislator on record as supporting something which I'm sure you don't support. Counsel --

MR. TEMPERA:  
If I may.

LEG. BISHOP:  
No, because I want to get Counsel's opinion, then you may, if you don't mind. On the question that Legislator Lindsay asked which is that you can't -- without going back to the membership and reratifying, can you this document strike ten since it's been rendered null and void by administrative action?

MR. SABATINO:  
If the same parties who executed it modified it, that could be done without a ratification vote on the theory that those parties without a ratification vote just nullified the entire health insurance plan that was approved, you know, back in 2001. So if they can deem --

LEG. BISHOP:  
Exactly.

MR. SABATINO:  
If they can sign a document that invalidates the entire insurance package --

LEG. BISHOP:  
Right, and to --

MR. SABATINO:



How could you not take out one paragraph?

MR. TEMPERA:

Well, in theory that's nice, but -- and I'm not going to be the one because I can't answer this because what you're talking about is the Constitution and By-Laws of the Deputy Sheriff Benevolent Association that's the group that has the -- that's the document that provides for the procedures on what they do and they don't do in terms of ratifications of their agreements. I'm prepared to sign-off this moment with the union to say this is not a necessary part within this Memorandum of Agreement, it's subject to their Constitution and By-Laws, that's number one. Number two, it refers to a document that all sides agree is null and void. Now, I don't know how to make it any clearer to the Legislators sitting here --

LEG. BISHOP:

You're being clear.

MR. TEMPERA:

-- that by voting on this Memorandum of agreement and approving it

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for the Deputy Sheriffs, there is no effect whatsoever with regard to health insurance in the Deputy Sheriff's agreement.

LEG. BISHOP:

He's got a point; legislator Caracappa has a point.

CHAIRPERSON CARPENTER:

Legislator Caracappa.

LEG. CARACAPPA:

Null and void I think is just a term you're using. There is no signed document saying this is null and void.

MR. TEMPERA:

Yes, there is.

LEG. CARACAPPA:

What it is, it's on hold.

MR. TEMPERA:

There is --

LEG. CARACAPPA:

It's on hold until you get the numbers back and then everyone kicks back into the health benefits.

MR. TEMPERA:

No.

LEG. CARACAPPA:

Yes, because you said it, you're waiting for the numbers. To come here and say --

MR. TEMPERA:

Excuse me, Legislator Caracappa.

LEG. CARACAPPA:

Go ahead, explain yourself.

MR. TEMPERA:

What I will tell you --

LEG. CARACAPPA:

Let me ask my question first before you jump all over me.

MR. TEMPERA:

Go ahead.

LEG. CARACAPPA:

When the smoke has cleared and the dust has settled, however you want to say it, and you have the right numbers, does this health benefit, or however you want to term it, get reinstituted to all the unions?

MR. TEMPERA:

It's subject to negotiation. And if we do not reach agreement we're back in the Empire plan. That is the document that has been signed

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with all the unions. The term null and void is in the document referring to the May 30th, 2001 agreement. It is on hold until such time as we get the audit --

LEG. CARACAPPA:

On hold, thank you.

MR. TEMPERA:

Excuse me, we've held the employees harmless. And specifically what you're referring to is we adopted the paragraphs in the May 30th, 2001 agreement, we rolled it into this bridge agreement.

LEG. CARACAPPA:

Yeah.

MR. TEMPERA:

So the benefit changes that were implemented back on May 30th, 2001, were not rolled back to what they had been before that because there's

some very positive steps that both sides took to change our health insurance plan to try and save us money. They were incorporated into a new agreement and along with the fact that we would not take away benefits from individuals until such time as we all get accurate numbers which we expect to get in an expeditious manner from the Audit Committee once they are done. At that time we are going to sit down with all nine unions again and negotiate a new health insurance agreement; if we do not, we are back in the Empire Plan.

LEG. CARACAPPA:

What was the vote from the committee when you agreed to that term?

MR. TEMPERA:

The vote of the EMHP Committee? That was something --

LEG. CARACAPPA:

The MOA that we're talking about here. Number 10, when you originally did it as a committee, the eight and the eight or whatever the makeup of the committee is, the unions and the Executive side, what was the vote?

MR. TEMPERA:

That's not subject to vote by the committee, that's subject to negotiation between the County and the unions.

MR. SABATINO:

The agreement -- I think you're referring to the May agreement from 2001, that would have been the 18 member group.

MR. TEMPERA:

No, it is not, that's subject to negotiations between the County and the nine unions. It has nothing to do -- the committee oversees health insurance to the County.

LEG. CARACAPPA:

But if that was a negotiation, negotiations come back before this Legislature, not votes taken between that panel, and that never did.

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LEG. BISHOP:

Either it's the board or the Legislature.

MR. SABATINO:

That's the whole point, the Taylor Law says that when you have an agreement that says it's going to have the need for money to fund it it's supposed to get Legislative approval. That document from 2001 never came before the Legislature which makes the whole argument convoluted because, as Legislator Bishop, said they're nulling and invalidating or voiding something that may have been void in the first

instance because it never came to the Legislature. But if you accept their argument that they had the authority to do it without the Legislature, then they have the same authority to go back and to delete paragraph 10. But it's a circular argument because they're saying you need the Legislature for this but you don't need them for the first instance; I mean, it makes absolutely no sense. And also, if they truly invalidated the agreement, you're talking about an \$84 million implication that the Legislature had no input in which I -- you know, it's a little bit startling.

LEG. CARACAPPA:

Fred, do you have some input on this?

LEG. BISHOP:

Is that why you charged in?

LEG. CARACAPPA:

Did you come in because you had some extra information for us?

CHAIRPERSON CARPENTER:

{sashayed} in, that wasn't a charge.

MR. POLLERT:

Just with respect to the contract, chances are that the contract review will not be completed by your meeting on Tuesday just because of the time lines that we like to have our review gone over by Labor and Personnel Relations as well as touching base with the County Executive's Office. Clause No. 10 is a clause that we have concerns with and we wanted to discuss with the Labor Relations group just because it appears that they're locking in the Deputy Sheriffs with a higher costs and benefits for the term of their contract. It doesn't say that it can be renegotiated, it says that these are the benefits that are going to be included in the contract.

LEG. CARACAPPA:

Did you make that a point at the Finance Committee?

MR. POLLERT:

Frankly, there wasn't any discussion at Finance, it was just adopted.

LEG. LINDSAY:

I got another question.

LEG. CARACAPPA:

So back to my original point about the term null and void or on hold. After you said it was null and void you used the term on hold. Just

this benefit to all the unions? After your -- you say a negotiation. One more time for the record, what would the process be; you get the audit done, the numbers come back, what happens there?

MR. TEMPERA:

We sit down with all nine unions and negotiate a new agreement that will cover health insurance for all the employees in Suffolk County if we do not accomplish that within a period of 120 days --

LEG. CARACAPPA:

It goes back to Empire.

MR. TEMPERA:

-- we'll go back to the Empire Plan.

LEG. CARACAPPA:

So once you negotiate those times you'll come before the Legislature for approval, seeing that it is a negotiated term.

MR. TEMPERA:

I can't answer that because I wasn't here back in 2001 when the original document came forward, I have been in the office since January this year. There was an opinion, as I understand it, that this agreement wasn't subject to coming before the Legislature, I can't comment on it at this point. When we get a new document I'll be sitting down with the County Attorney's Office, our Labor Counsel, the County Exec's people and we'll try and make a decision as to whether or not that document comes forward. The documents -- and I think Paul referred to it. Legislature has oversight and approval, not over all items in collective bargaining but only those items that have a cost impact.

LEG. CARACAPPA:

And this is certainly one of them.

MR. TEMPERA:

I can't tell you what the rationale was as to why it didn't come before you in May of '01, but clearly there was an opinion that was rendered that said it wasn't subject to approval by the Legislature.

LEG. CARACAPPA:

Okay, you've said your piece, Paul said your piece. Just for the trifecta analysis; Fred, I would like to hear from you what you think.

MR. POLLERT:

Just from a budgetary point of view, you can't move back to the Empire Plan. Part of the reason you can't move back to the Empire Plan is that the Empire Plan requires cash up front to start processing the bills. Number two, we also have not budgeted for the one out-of-County claims, we assumed that we were always going to be in a

County health program, so there's no reserves for incurred but not reported expenses. That tail-out is going to continue for basically up to two years from a budgetary point of view. So it's clearly imperative that we reach an agreement with the unions because budgetarily you're going to have a tremendous cost if you try to move

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back to the Empire Plan. Likewise, when we left the Empire Plan they had told us that if we left they didn't want us back, because -- in part because the Upstate counties were cross-subsidizing the Downstate counties and they were just as happy if we went off on our own.

MR. TEMPERA:

Legislator Caracappa, if I may.

LEG. CARACAPPA:

Okay, go ahead. I have one more question, too.

MR. TEMPERA:

I've just had a discussion with Vinny DeMarco, I've asked him to go back and check his bylaws. And if they're able to sign-off and remove this item from the Memorandum of Agreement, clearly, as I stated up front, we've got not opposition to striking number 10 from the agreement. He's going to check his bylaws, he's indicated to myself if there's no impediment in his bylaws, that it doesn't have to go back to the membership, he's willing to sign-off and remove it from the Memorandum of Agreement. I don't know if that has any impact with regards to its vote on Tuesday, I would hope not. But after this meeting he's going to go back, check and hopefully by close of business today we'll have the issue clarified.

LEG. CARACAPPA:

Well, my asking questions isn't -- maybe Legislator Bishop's different, I'm not necessarily saying I want the Deputy Sheriffs to go back and do what you just said, I just want to know my role as a Legislator with relation to that clause and I don't want down the road to come back and say, "Well, you had the opportunity to vote on that and the Legislature didn't." So I want it clearly defined on the record what our role is as elected officials in this County with relation to that clause.

My last question is, for the record, what are the numbers; the percentages agreed upon.

MR. TEMPERA:

The wage increases?

LEG. CARACAPPA:

Yes.

MR. TEMPERA:

Oh, it's 3.5 effective 1/1/02, 3.24 effective 1/1/03; exactly the same wage increases this Legislature has already voted on for the Correction Officers.

LEG. CARACAPPA:

Very good. Thank you.

MR. TEMPERA:

Thank you.

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CHAIRPERSON CARPENTER:

Thank you. Legislator Lindsay, did you have something you wanted to add?

LEG. LINDSAY:

Just really a question of Jeff. Number 10 that we're talking about here, similar language is in every other one of the union agreements?

MR. TEMPERA:

Yeah, every agreement that's come forward -- and again, a careful reading of number 10 is simply complying, amending Section 10.1 to comply with the extension agreement. It's really just a language change within the agreement.

LEG. LINDSAY:

I think that -- yeah, it is the first one since the scandal but it would certainly be awfully unfair to take it out on the Deputy Sheriffs. Again, we're all frustrated as well as I'm sure you're frustrated --

MR. TEMPERA:

Absolutely.

LEG. LINDSAY:

-- with the health insurance problem. And I think the solution to this ultimately, and after all the smoke clear, is maybe this Legislature should look into taking back some kind of oversight on such a huge expense every year, but don't do it on an individual basis with each individual contract. So that's really all I want to say.

CHAIRPERSON CARPENTER:

Okay. There is a motion and a second to approve. All those in favor?

LEG. BISHOP:

I do want --



CHAIRPERSON CARPENTER:  
What?

LEG. BISHOP:  
With the understanding that you're going -- that the Deputy Sheriff's Benevolent Association is going to review their internal By-Laws to see whether that 10 can be stricken since it has been represented to us that it's null and void.

CHAIRPERSON CARPENTER:  
Okay, with that understanding. All those in favor? Opposed?  
The resolution is approved (VOTE: 6-0-0-0).

MR. TEMPERA:  
Thank you.

CHAIRPERSON CARPENTER:  
Thank you.

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#### SENSE RESOLUTIONS

We move to the last resolution on the agenda, Sense 69-2002 - Memorializing Resolution requesting United States Congress to enact joint resolution authorizing use of force against Iraq (Binder).

LEG. BISHOP:  
How did you decide what committee this goes to?

CHAIRPERSON CARPENTER:  
I don't know; it seems to me it should have been Vets & Seniors, but we have it.

LEG. POSTAL:  
Lucky us.

CHAIRPERSON CARPENTER:  
Is there a motion?

LEG. POSTAL:  
I'd make a motion to table.

LEG. BISHOP:  
I will second.

CHAIRPERSON CARPENTER:  
We have a motion and a second to table. All those in favor? Opposed?

LEG. CARACAPPA:

Opposed.

**CHAIRPERSON CARPENTER:**

The resolution is tabled (VOTE: 5-1-0-0 Opposed: Legislator Caracappa).

And the meeting is adjourned. Thank you for your patience.

(\*The meeting was adjourned at 11:38 A.M.\*)

Legislator Angie Carpenter, Chairperson  
Public Safety & Public Information Committee

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